

## SEWER EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Michael R. Williamson and Virginia Williamson, hereinafter referred to as "Grantor", do hereby grant, bargain, sell and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and easement at any time and from time to time to construct, maintain, inspect, operate, protect, repair, replace, change the size of, or remove a pipeline, pipelines and other appurtenances for operation of the City Sewage System, within the confines of an area described in Exhibit J, which is attached hereto and made a part hereof as if fully copied herein, together with reasonable access thereto.

TO HAVE AND TO HOLD said easement and reasonable access thereto unto said Grantee, its successors and assigns temporarily, where noted, and permanently, where noted in Exhibit J.

It is agreed that the pipeline or pipelines to be laid under this grant shall be constructed at sufficient depth below the surface of the ground to permit normal cultivation, and Grantor shall have the right to fully use and enjoy the above described premises, subject to the rights herein granted.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

Grantee shall have the right to clear and keep clear all trees, undergrowth and other obstructions from the herein granted easement, and Grantor agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that will interfere with the normal operation and maintenance of the said line or lines.

Grantor hereby expressly agrees that in the event the route of the pipeline to be constructed hereunder should cross any roads, railroads, creeks, rivers or other waterways located on the above described land or other places requiring extra working space, Grantee shall have the right and temporary access to additional working space which may be necessary for construction.

Grantor represents that the above described land is not rented at the present time.

The terms and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, devisees, successors, trustees or assigns of the parties hereto, and the rights herein granted may be assigned in whole or in part.

IN WITNESS WHEREOF the said Grantors have hereunto set their hand and seal, this 3/5/ day of January, 2001.

Michael R. Williamson  
MICHAEL R. WILLIAMSON

Virginia Williamson  
VIRGINIA WILLIAMSON

Witnessed By:

A. A. Davis

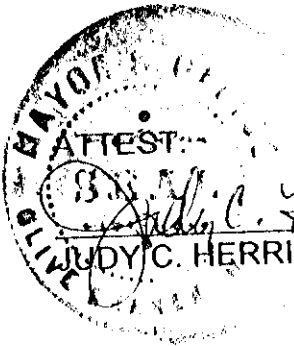
STATE MS. - DESOTO CO.  
FILED

OCT 11 11 11 AM '01

BK 400 PG 758  
W. S. R.

APPROVED AND ACCEPTED by the  
City of Olive Branch

By: Samuel P. Rikard  
SAMUEL P. RIKARD, MAYOR



STATE OF MISSISSIPPI

COUNTY OF DESOTO

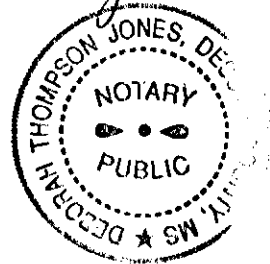
Personally appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of February, 2001, within my jurisdiction, A. G. Davis, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named Michael R. Williamson and Virginia Williamson, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed his name as witness thereto in the presence of same.

A. G. Davis  
Witness

Deborah Thompson Jones  
NOTARY PUBLIC

My Commission Expires:

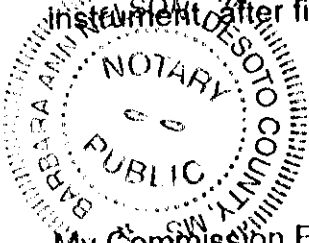
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 21, 2003  
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 6th day of July, 2001, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument after first having been duly authorized so to do.



Barbara Ann Nelson  
NOTARY PUBLIC

My Commission Expires:

May 21, 2002

PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,  
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**MICHAEL R. WILLIAMSON &  
wife, VIRGINIA WILLIAMSON  
DEED BOOK 230, PAGE 730**

**EXHIBIT 5**

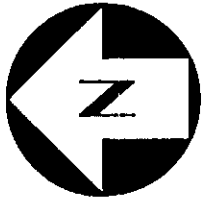
Being a portion of Lot 22, Section "B" Revised, Deerfield Subdivision, lying in Section 35 Township 1 South, Range 7 West, City of Olive Branch, DeSoto County, Mississippi, as recorder in Plat Book 31, Pages 4-5 in the Office of the Chancery Clerk of DeSoto County, Mississippi, and being more particularly described as follows:

**PERMANENT UTILITY EASEMENT**

Being a 20 foot wide strip of land and having a centerline described as follows: Beginning at a point on the southwest property line of the above described property, said point being approximately 41.31 feet southeast of the western most corner of the above described property as measured along the southwest property line; thence in a northeasterly direction a distance of approximately 121.86 feet to a point; thence continuing in a northeasterly direction a distance of approximately 160.68 feet to a point in the northeast property line approximately 141.34 feet southeast of the northern most property corner as measured along the northeast property line and containing 5,651 square feet more or less.

**TEMPORARY CONSTRUCTION EASEMENTS**

Being a 30 foot wide strip of land parallel and adjacent to the northwest and southeast sides of the above described permanent easement and containing 16,918 square feet more or less.





PROPERTY OF:  
MICHAEL & VIRGINIA WILLIAMSON  
BOOK 230, PAGE 730

PERMANENT UTILITY EASEMENT REQUIRED

UNENCUMBERED: ENCUMBERED:  
PERM: 5,651 S.F. PERM: 0.0 S.F.  
TEMP: 16,918 S.F. TEMP: 0.0 S.F.

THIS EXHIBIT HAS BEEN PREPARED FROM BOOK  
230, PAGE 730 IN THE DESOTO COUNTY  
CHANCERY OFFICE.

 = PERMANENT UTILITY ESMT.  
 = TEMPORARY CONSTRUCTION ESMT.

## EXHIBIT NO. 1

SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI  
DESOTO COUNTY

### DEERFIELD SEWER IMPROVEMENTS

PERMANENT UTILITY EASEMENT

PREPARED BY: F&A BK. 230, PG. 730 TRACT: WILLIAMSON  
DRAFTSMAN: B.S. DATE: SEPT., 2000 SCALE: 1" = 60'

THIS PROPERTY IS LOCATED IN SECTION 35  
TOWNSHIP 1 SOUTH, RANGE 7 WEST  
DESOTO COUNTY, MISSISSIPPI

NO.	DESCRIPTION	DATE	BY

FILE: FISHER & ARNOLD, INC.

W:\Projects\civil\3958\DRFIELD\EXHIBIT\lot-22R.dwg 01/17/01 05:40:07 PM PM CST

DENNIS M. & PAMELA S.  
SCHELL  
LOT 23

MICHAEL R. & VIRGINIA  
WILLIAMSON  
BK. 230, PG. 730  
LOT 22

STEVE R.  
JAN HATMAKER  
LOT 21

20' PERMANENT  
UTILITY ESMT.

30' TEMPORARY  
CONST. ESMTS.

141.34'

94.14'

113.90'

356.89'

180.89'

121.86'

122.49'

41.31'

279.20'

L=222.35'